

BEFORE THE DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ARIZONA

MAR 26 2003

DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA

BY

W. J. [Signature]

Nos. 01-1213 & 01-2148

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

CHADWICK M. CORD,
Bar No. 015680

RESPONDENT.

DISCIPLINARY COMMISSION
REPORT

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on March 7, 2003, pursuant to Rule 53(d), Ariz. R. S. Ct., for consideration of the Hearing Officer's Report, filed December 20, 2002, recommending a six (6) month and one (1) day suspension and costs.

Decision

The Commission's standard of review is set forth in Rule 53(d)2, which states that the Commission reviews questions of law *de novo*. In reviewing findings of fact made by a hearing officer, the Commission applies a clearly erroneous standard.

Therefore, having found no findings of fact clearly erroneous, the nine¹ members of the Commission unanimously recommend adopting and incorporating by reference the Hearing Officer's findings of fact and conclusions of law, and recommendation of a sanction of a six (6) month and one (1) day suspension. However, the assessment of costs is *not*

¹Commissioners Nelson and Gutierrez did not participate in these proceedings. One attorney member seat remains vacant. Donald H. Bayles, Jr., Jack L. Potts, M.D., and Maria Hoffman participated as ad hoc members.

recommended. The State Bar's Statement of Costs and Expenses was untimely. It did not
comply with Rule 52(a)8, which provides that the statement of costs *shall* be filed within
seven days.² In addition, the Commission recommends that upon reinstatement, the
Respondent be placed on probation the terms of which should include a Member Assistance
Program referral.

RESPECTFULLY SUBMITTED this 26th day of March 2003.



Jessica G. Funkhouser, Chair
Disciplinary Commission

Original filed with the Disciplinary Clerk
this 26th day of March 2003.

A copy of the foregoing mailed
this 26th day of March 2003.

Stephen L. Weiss
Hearing Officer 9Z
P.O. Box 36940
Phoenix, AZ 85067-6940

Chadwick M. Cord
Respondent
11445 E. Via Linda
Suite 2 PMB 434
Scottsdale, AZ 85259

² The Hearing Officer's report was filed December 20, 2002, and the State Bar's Statement of Costs and Expenses was filed February 20, 2003.

1 A copy of the foregoing hand-delivered
2 this 26th day of March 2003.

3 Jacqueline N. SchesnoI
4 Bar Counsel
5 State Bar of Arizona
6 111 West Monroe, Suite 1800
7 Phoenix, AZ 85003-1742

8 By K. Weigand
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